

OLL 85-2742/1
23 September 1985

MEMORANDUM FOR: DDI

C/GD/OGI

FROM:

DC/LD/OLL

SUBJECT: Amending the Foreign Assistance Act of 1961 to protect tropical forests in developing countries: Legislative Report by State Dept.

1. Attached for your review and comment is a State Department draft report on H.R. 2957. This bill would amend the Foreign Assistance Act of 1961 to protect tropical forests in developing countries.

2. The Central Intelligence Agency is connected with this matter by virtue of its membership on the "United States Interagency Task Force on Tropical Forests." (See page 2, line 23 of the bill) The Office of Management and Budget (OMB) has sent this draft report to all the members of the Task Force for clearance before sending it to the Chairman of the House Committee on Foreign Affairs.

3. This proposed legislation would establish a long range foreign policy on the preservation of tropical forests in third world countries. Such a policy includes the exchange of information, training, research and participation in projects aimed at preservation. Furthermore, that U.S. foreign assistance should be denied to countries that engage in practices of clearing forests for the purpose of rearing livestock, building roads through undergraded forests, colonization of forests lands, construction of dams that flood forests and conduct logging and timber processing in

environmentally unsound ways. A policy exception will be made for those projects having significant off setting value to the rural poor and are accomplished in the least harmful way.

STAT 4. So that we may provide a timely reply to OMB, please
give us your oral or written comments by
September 30, 1985.

STAT
Attachment
as stated

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STAT LEG/OLL: (23 September 1985)



United States Department of State

Washington, D.C. 20520

Dear Mr. Chairman:

I am responding to your letter of July 23 to Secretary Shultz requesting comments, inter alia, on H.R. 2957, a bill to amend the Foreign Assistance Act of 1961 to protect tropical forests in developing countries.

The Department of State attaches high priority to maintaining U.S. leadership in the growing worldwide effort to ensure proper management of tropical forests of developing countries to meet a range of developmental, social and environmental needs. In our view, H.R. 2957 would be an important, new manifestation of both the U.S. Government's concern about the tropical deforestation problem and our continuing commitment to pursue preventive and corrective measures through unilateral actions and international cooperation.

We welcome, in particular, the emphasis given to the recommendation of the Federal Interagency Task Force on Tropical Forests, which the State Department and the U.S. Forest Service co-chair. In addition, the stress placed on effective involvement of private voluntary organization and nongovernmental organizations, among others the International Union for the Conservation of Nature and Natural Resources, the World Wildlife Fund, and local developing country institutions, is fully consistent with, and supportive of, the current USG strategy and approach.

Paragraph 12 identifies a series of development activities for which direct or indirect U.S. assistance might be denied because of adverse impacts on tropical forest resources. It is our understanding that this reinforces components of a policy and program guidance statement on humid tropical forests promulgated by the Agency for International Development in November 1984, which is currently being updated. For these reasons, the Department of State supports H.R. 2957 as presented.

The Honorable
Dante B. Fascell, Chairman,
Committee on Foreign Affairs,
House of Representatives.

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The Office of Management and Budget advises that from the standpoint of the Administration's program, there is no objection to the submission of this report.

With best wishes,

Sincerely,

William L. Ball, III
Assistant Secretary
Legislative and Intergovernmental Affairs

99TH CONGRESS
1ST SESSION

H. R. 2957

To amend the Foreign Assistance Act of 1961 to protect tropical forests in developing countries.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 1985

Mr. YATRON (for himself, Mr. KOSTMAYER, Mr. GILMAN, Mr. FASCELL, Mr. BONKER, Mr. ZSCHAU, and Mr. UDALL) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Foreign Assistance Act of 1961 to protect tropical forests in developing countries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That chapter 1 of part I of the Foreign Assistance Act of
4 1961 is amended—

5 (1) by redesignating section 118 (22 U.S.C.
6 2151p) as section 117;

7 (2) by striking out subsection (d) of that section;
8 and

9 (3) by inserting after that section the following
10 new section 118:

1 "SEC. 118. TROPICAL FORESTS.

2 "(a) IMPORTANCE OF FORESTS AND TREE COVER.—

3 In enacting section 103(b)(3) of this Act the Congress recog-
4 nized the importance of forests and tree cover to the develop-
5 ing countries. The Congress is particularly concerned about
6 the continuing and accelerating alteration, destruction, and
7 loss of tropical forests in developing countries, which pose a
8 serious threat to development and environment. Tropical
9 forest destruction and loss—

10 "(1) result in shortages of wood, especially wood
11 for fuel; loss of biologically productive wetlands; siltation
12 of lakes, reservoirs, and irrigation systems; floods;
13 destruction of indigenous peoples; extinction of plant
14 and animal species; reduced capacity for food production;
15 and loss of genetic resources; and

16 "(2) can result in decertification and destabilization
17 of the earth's climate.

18 Properly managed tropical forests provide a sustained flow of
19 resources essential to the economic growth of developing
20 countries, as well as genetic resources of value to developed
21 and developing countries alike.

22 "(b) PRIORITIES.—The concerns expressed in subsection (a) and the recommendations of the United States Inter-
23 agency Task Force on Tropical Forests shall be given high
24 priority by the President—
25

LOSS OF
TROPICAL
FORESTS
IN DEVELOPING
COUNTRIES

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1 “(1) in formulating and carrying out programs and
2 policies with respect to developing countries, including
3 those relating to bilateral and multilateral assistance
4 and those relating to private sector activities; and

5 “(2) in seeking opportunities to coordinate public
6 and private development and investment activities
7 which affect forests in developing countries.

8 “(c) ASSISTANCE TO DEVELOPING COUNTRIES.—In
9 providing assistance to developing countries, the President
10 shall place a high priority on conservation and sustainable
11 management of tropical forests and shall—

12 “(1) engage in dialogues and exchanges of infor-
13 mation with recipient countries—

14 “(A) which stress the importance of conserv-
15 ing and sustainably managing forest resources for
16 the long-term economic benefit of those countries,
17 as well as the irreversible losses associated with
18 forest destruction, and

19 “(B) which identify and focus on policies of
20 those countries which directly or indirectly con-
21 tribute to deforestation;

22 “(2) support projects and activities—

23 “(A) which offer employment and income al-
24 ternatives to those who otherwise would cause de-
25 struction and loss of forests, and

1 “(B) which help developing countries identify
2 and implement alternatives to colonizing forested
3 areas;

4 “(3) support training programs, educational ef-
5 forts, and the establishment or strengthening of institu-
6 tions which increase the capacity of developing coun-
7 tries to formulate forest policies, engage in relevant
8 land-use planning, and otherwise improve the manage-
9 ment of their forests;

10 “(4) help end destructive slash-and-burn agricul-
11 ture by supporting stable and productive farming prac-
12 tices in areas already cleared or degraded and on lands
13 which inevitably will be settled, with special emphasis
14 on demonstrating the feasibility of agroforestry tech-
15 niques and on other kinds of small-scale, affordable, re-
16 source-conserving, low-risk, local projects which use
17 technologies and methods suited to the local environ-
18 ment and traditional agricultural techniques and feature
19 close consultation with and involvement of local people
20 at all stages of project design and implementation;

21 “(5) help conserve forests which have not yet
22 been degraded, by helping to increase production on
23 lands already cleared or degraded through support of
24 reforestation, fuelwood, and other sustainable forestry
25 projects and practices, making sure that local people

1 are involved at all stages of project design and imple-
2 mentation;

3 "(6) support projects and other activities to con-
4 serve forested watersheds and rehabilitate those which
5 have been deforested, making sure that local people
6 are involved at all stages of project design and imple-
7 mentation;

8 "(7) support training, research, and other actions
9 which lead to sustainable and more environmentally
10 sound practices for timber harvesting, removal, and
11 processing, including reforestation, soil conservation,
12 and other activities to rehabilitate degraded forest
13 lands;

14 "(8) support research to expand knowledge of
15 tropical forests and identify alternatives which will pre-
16 vent forest destruction, loss, or degradation, including
17 research in agroforestry, small-scale farms and gar-
18 dens, small-scale animal husbandry, wider application
19 of traditional practices, and suitable crops and crop
20 combinations;

21 "(9) conserve biological diversity in forest areas
22 by—

23 "(A) supporting and cooperating with the
24 International Union for Conservation of Nature
25 and Natural Resources, the World Wildlife Fund,

1 United States Government agencies, other donors
2 (both bilateral and multilateral), and other appro-
3 priate governmental, intergovernmental, and non-
4 governmental institutions in efforts to identify, es-
5 tablish, and maintain a representative network of
6 protected tropical forest ecosystems on a world-
7 wide basis;

8 "(B) whenever appropriate, making the set-
9 ting aside of protected areas a condition of sup-
10 port for activities involving forest clearance or
11 degradation; and

12 "(C) helping developing countries identify
13 tropical forest ecosystems and species in need of
14 protection and establish and maintain appropriate
15 protected areas;

16 "(10) engage in efforts to increase the awareness
17 of United States Government agencies and other
18 donors, both bilateral and multilateral, of the immedi-
19 ate and long-term value of tropical forests;

20 "(11) require that any program or project under
21 this chapter significantly affecting tropical forests (in-
22 cluding projects involving the planning of exotic plant
23 species) be based upon careful analysis of the best sus-
24 tainable use of the land and take full account of the

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1 impacts of the proposed activities on biological diversi-
2 ty; and

3 "(12) deny any direct or indirect assistance under
4 this chapter for—

5 "(A) activities which would result in the con-
6 version of forest lands to the rearing of livestock,
7 unless it has been demonstrated that the proposed
8 activity will contribute significantly and directly to
9 improving the livelihood of the rural poor and is
10 the least harmful way of doing so;

11 "(B) the construction, upgrading, or mainte-
12 nance of roads (including temporary haul roads for
13 logging or other extractive industries) which pass
14 through relatively undegraded forest lands, unless
15 it has been demonstrated that there exist adequate
16 safeguards to prevent unplanned forest destruction
17 and that the proposed activity will contribute sig-
18 nificantly and directly to improving the livelihood
19 of the rural poor and is the least harmful way of
20 doing so;

21 "(C) the colonization of forest lands, unless it
22 has been demonstrated that the soils in the area
23 are capable of sustained agriculture, that there
24 exist adequate safeguards to prevent unplanned
25 forest destruction, and that the proposed activity

1 will contribute significantly and directly to im-
 2 proving the livelihood of the rural poor and is the
 3 least harmful way of doing so;

DAMS:

4 "(D) the construction of dams or other water
 5 control structures which flood relatively undegrad-
 6 ed forest lands, unless it has been demonstrated
 7 that the proposed activity will contribute signifi-
 8 cantly and directly to improving the livelihood of
 9 the rural poor and is the least harmful way of
 10 doing so;

LOGGING
TIMBER:

11 "(E) the procurement or use of logging or
 12 timber processing equipment, unless it has been
 13 demonstrated that all timber harvesting operations
 14 involved will be conducted in an environmentally
 15 sound manner which minimizes forest destruction
 16 and that the proposed activity will contribute sig-
 17 nificantly and directly to improving the livelihood
 18 of the rural poor and is the least harmful way of
 19 doing so; and

20 "(F) actions which invade or significantly de-
 21 grade national parks or similar protected areas
 22 which contain tropical forests or introduce exotic
 23 plants or animals into such areas.

24 "(d) PVOs AND OTHER NONGOVERNMENTAL ORGANI-
 ZATIONS.—Whenever feasible, the President shall accom-

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1 plish the objectives of this section through projects managed
2 by private and voluntary organizations or regional or national
3 nongovernmental organizations in the region or country
4 where the project is located.

5 “(e) COUNTRY ANALYSIS REQUIREMENTS.—Each
6 country development strategy statement or other country
7 plan prepared by the Agency for International Development
8 shall include an analysis of the actions necessary in that
9 country to achieve the goals of this section and of the extent
10 to which the actions proposed for support by the Agency
11 meet the needs thus identified.

12 “(f) ANNUAL REPORT.—Each annual report required
13 by section 634(a) of this Act shall include a report on the
14 implementation of this section.”

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